

PUBLIC RESOURCES CODE – DIVISION 12.1:
California Beverage Container Recycling and Litter Reduction Act (ACT)

14549.2. (a) For purposes of this section, the following definitions shall apply:

- (1) "**Certified entity**" means a recycling center, processor, or dropoff or collection program certified pursuant to this division.
- (2) "**Product manufacturer**" means any person who manufactures a plastic product in this state.

(b) In order to develop California markets for empty plastic beverage containers collected for recycling in the state, the department may, consistent with Section 14581 and subject to the availability of funds, pay a market development payment to a certified entity or product manufacturer for empty plastic beverage containers collected and managed pursuant to this section.

(c) The department shall make a market development payment to a certified entity or product manufacturer in accordance with this section, only if the plastic beverage container is collected and either recycled or used in manufacturing, in the state, as follows:

- (1) The department shall make a market development payment to **a certified entity for empty plastic beverage containers that are collected for recycling in the state, that are subsequently washed and processed by a certified entity into a flake, pellet, or other form in the state**, and made usable for the manufacture of a plastic product by a product manufacturer.
- (2) The department shall make a market development payment to a product manufacturer for **empty plastic beverage containers** that are collected for recycling in the state, that are subsequently washed and processed into a flake, pellet or other form in the state, and **used by that product manufacturer to manufacture a product in this state**.
- (3) The department shall determine the amount of the market development payment, which may be set at a different level for a certified entity and a product manufacturer, but shall not exceed one hundred fifty dollars (\$150) per ton. In setting the amount of the market development payment for both certified entities and product manufacturers, the department shall consider all of the following:
 - (A) The minimum funding level needed to encourage the in-state washing and processing of **empty plastic beverage containers** collected for recycling in this state.
 - (B) The minimum funding level needed to encourage the in-state manufacturing that utilizes **empty plastic beverage containers** collected for recycling in this state.
 - (C) The total amount of funds projected to be available for plastic market development payments and the desire to maintain the minimum funding level needed throughout the year.
- (4) The department may make a market development payment to both a certified entity and a product manufacturer for the same **empty plastic beverage container**.

(d) This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

Definitions:

14512. "Empty beverage container" means a beverage container which meets all of the following requirements:

- (a) Has the seal or closure installed by the manufacturer broken or removed.**
- (b) Does not contain foreign materials other than the residue of the beverage originally packaged in the beverage container by the manufacturer.**
- (c) Bears the message required by Section 14561, or is a refillable beverage container.**
- (d) Has a refund value established pursuant to Section 14560.**